

Notice of Allowability

Application No.

10/825,900

Applicant(s)

STEVENSON ET AL.

Examiner

Carl H. Layno
6/23/05

Art Unit

3762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Paper No. 04072005.
2. ☒ The allowed claim(s) is/are Claims 1, 2, 5-61, 63-78, 80-102, 104-172, 190-229, and 231-275.
3. ☒ The drawings filed on 15 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

1. Acknowledgment is made of applicant's amendment which was received by the Office on April 7, 2005.

2. Claims 3, 4, 62, 79, 103, 173-189, and 230 are canceled. Claims 232-275 have been added. Claims 1, 2, 5-61, 63-78, 80-102, 104-172, 190-229, and 231-275 are active.

Claim Rejections - 35 USC § 102

3. Upon further reconsideration of applicant's claim cancellations and claim amendments, the Examiner is withdrawing the 35 U.S.C 102(b) rejection of Brendel et al '627 (Applicant's Prior Art), which was made against claims 1-4, 18, 26, 53, 190, 197, 198, and 208 in the last Office action.

Claim Rejections - 35 USC § 103

4. Upon further reconsideration of applicant's arguments and amendments to the claims, the Examiner is also withdrawing the 35 U.S.C 103(a) rejection of Brendel et al '627 in view of Brendel et al '103 (both Applicant's cited prior art), which was made against claims 27, 52, 60-62, 73, 74, 81, 101, 102, 112, 113, and 138 in the last Office action.

Allowable Subject Matter

5. Claims 1, 2, 5-61, 63-78, 80-102, 104-172, 190-229, and 231-275 are allowed.

Reasons for Allowance

6. The following is an examiner's statement of reasons for allowance:

Independent claims 1, 101, and 144 describe elements of a feedthrough terminal assembly for an active implantable medical device including, among other features, an inductor bonded to parts of a capacitor with non-conductive material or in a non-conductive manner. This teaches away from the prior art, which shows electrical connectivity at nodes between these elements (e.g. node 528 in Fig.8B of Foster et al '776-A1). Likewise, other independent claims disclose unique configurations of grounding the terminal's capacitors and inductors to a ferrule, not shown or taught in any of the prior art references (i.e. claims 40, 41, 190, 231). Yet other independent claims recite features of the device's inductors not present in the prior art, namely: construction using high permeability ferrite material (claim 5), the use of conformal coating (claim 7), the use of an insulator material between the inductor and terminal pin (claim 10), and the use of a "second" inductor (claim 13).

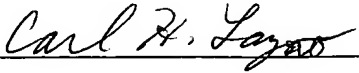
In view of the shortcomings of the prior art, the Examiner deems these claims and their depending claims to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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CARL LAYNO
PRIMARY EXAMINER

CHL

6/22/2005